



Attorney's Docket No. 003364.P001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:

Sun-Young Kim, ET AL.

Serial No. 09/029,042

Filed: 5/15/98

For: *Heterologous Protein Production System
Using Avian Cells*

Examiner: Fitzgerald, D.

Art Unit 1646

AMENDMENT AND RESPONSE OFFICE ACTION

Box Amendments - No Fee
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

With a Petition to Revive, Applicants submitted an Amendment and Response (mailed August 4, 2000). Applicants believe that the Amendment and Response complied with the Sequence Rules, particularly items 1-3 noted by the Patent Office. Given the Petition was granted on August 30, 2000 and the Patent Office mailed the Office Action mailed November 15, 2000, Applicants assume that the Patent Office received the August 4, 2000 Amendment and Response, but evidently it was misplaced. Therefore, Applicants submit a similar amendment and response to the November 15, 2000 Office Action. If Applicants' assumption is incorrect, Applicants urge the Patent Office to contact Applicants' representative and clarify the compliance issues. In response to the Office Action mailed November 15, 2000, Applicants respectfully requests entry of the following amendment:



CP 1646

Box 110
500.Approved for use through 1930/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/029,042
	Filing Date	May 15, 1998
	First Named Inventor	Sun-Young Kim
	Group Art Unit	1646
	Examiner Name	Andres, J.
	Attorney Docket Number	03364P001
Total Number of Pages in This Submission	18	

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ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Copy of Amendment and Response to Office Action mailed 8/4/00; Paper copy of Sequence Listing; CD-ROM copy of Sequence Listing.
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	William Thomas Babbitt, Reg. No. 39,591 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN
Signature	<i>William T. Babbitt</i>
Date	12/15/00

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:		December 15, 2000
Typed or printed name	William Rodriguez	Date
Signature	<i>William Rodriguez</i>	12/15/00

Burden Hour Statement: This form is estimated to take 1-2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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FREE TRANSMITTAL

for FY 2001

Potential fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)

Complete If Known

Application Number 09/029,042
Filing Date 05/15/98
First Named Inventor Sun-Young Kim, et al.
Examiner Name Andres, J.
Group Art Unit 1646
Attorney Docket Number 03364P001

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METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666

Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

- ☒ Charge Any Additional Fee Required Under 37CFR 1.16 and 1.17
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:
☐ Check ☐ Money Order ☐ Other

FEE CALCULATION (fees effective 10/01/98)

1. FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
101 760 201 380	Utility filing fee		
106 310 206 155	Design filing fee		
107 480 207 240	Plant filing fee		
108 780 208 380	Reissue filing fee		
114 150 214 75	Provisional filing fee		

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Extra Claims	Fee from below	Fee Paid
Total Claims - ** =	X 18.00 =	\$0.00
Independent Claims - ** =	X 80.00 =	\$0.00
Multiple Dependent Claims		

Large Entity Small Entity

Code (\$)	Code (\$)	Fee Description
103 18 203 9	Claims in excess of 20	
102 78 202 39	Independent claims in excess of 3	
104 270 204 135	Multiple Dependent claim	
109 78 209 39	**Reissue independent claims over original patent	
110 18 210 9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

*or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
105 130 205 65	Surcharge - late filing fee or oath		
127 50 227 25	Surcharge - late provisional filing fee or cover sheet		
139 130 139 130	Non-English specification		
147 2,520 147 2,520	For filing a request for ex parte reexamination		
112 920 112 920	Requesting publication of SIR prior to Examiner action		
113 1,840 113 1,840	Requesting publication of SIR after Examiner action		
115 110 215 55	Extension for response within first month		
116 380 216 190	Extension for response within second month		
117 870 217 435	Extension for response within third month		
118 1,360 218 680	Extension for response within fourth month		
128 1,850 228 925	Extension for response within fifth month		
119 300 219 150	Notice of Appeal		
120 300 220 150	Filing a brief in support of an appeal		
121 260 221 130	Request for oral hearing		
138 1,360 138 1,360	Petition to institute a public use proceeding		
140 110 240 55	Petition to revive - unavoidably		
141 1,210 241 605	Petition to revive - unintentionally		
142 1,210 242 605	Utility issue fee (or reissue)		
143 430 243 215	Design issue fee		
144 580 244 290	Plant issue fee		
122 130 122 130	Petitions to the Commissioner		
123 50 123 50	Petitions related to provisional applications		
126 240 126 240	Submission of Information Disclosure Sheet		
581 40 581 40	Recording each patent assignment per property (times number of properties)		
146 760 246 380	Filing a submission after final rejection (37 CFR 1.129(a))		
149 760 249 355	For each additional invention to be examined (37 CFR 1.129(b))		
179 710 279 355	Request for Continued Examination (RCE)		
169 900 169 900	Request for expedited examination of a design application		

Other fee (specify)

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Typed or Printed Name William Thomas Babbitt, Reg. No. 39,591

Signature *William T. Babbitt* Date 12/15/00

Complete (if applicable)

Reg. Number

Deposit Account User ID

02-2666

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